

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**May 08, 2024**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JAIME T.,<sup>1</sup>

Plaintiff,

v.

MARTIN O'MALLEY, Commissioner of  
Social Security,

Defendant.

No. 4:23-cv-05164-EFS

**ORDER GRANTING THE PARTIES'  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C.  
§ 405(g)**

The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. The parties also agree that Plaintiff is entitled to reasonable attorney fees and costs under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to the Court.

Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion to Remand, **ECF No. 13**, is  
**GRANTED.**

<sup>1</sup> For privacy reasons, the Court refers to every social security plaintiff by first name and last initial or by "Plaintiff." See LCivR 5.2(c).

2. This matter is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council is to instruct the ALJ to reassess Plaintiff's residual functional capacity ensuring it is supported by substantial evidence, reassess the medical opinion evidence, offer Plaintiff the opportunity for a hearing, take any further action needed to complete the administrative record, and issue a new decision.

3. The Clerk's Office shall **TERM** the hearing and Plaintiff's brief, **ECF No. 8**, enter **JUDGMENT** in favor of Plaintiff, and **CLOSE** the case.

**IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and provide copies to all counsel.

**DATED** this 8th day of May 2024.



EDWARD F. SHEA  
Senior United States District Judge